

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES FRANKLIN ADAIR,
Plaintiff,
v.
JOSHUA NAKKEN, *et al.*,
Defendants.

Case No. 2:24-cv-0578 (P)

ORDER TO SHOW CAUSE

On November 13, 2024, I screened plaintiff's first amended complaint and notified him that all the claims could not proceed together. ECF No. 12. I ordered him to file, within thirty days, an amended complaint or a notice to proceed with certain claims. *Id.* To date, plaintiff has not filed any response.

The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal. *Bautista v. Los Angeles Cnty.*, 216 F.3d 837, 841 (9th Cir. 2000); *see* Local Rule 110 ("Failure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court."). A court may dismiss an action based on a party's failure to prosecute an action, failure to obey a court order, or failure to comply with local rules. *See Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of prosecution and failure to comply with local rules).

1 I will give plaintiff a chance to explain why the court should not dismiss the case for his
2 failure to file an amended complaint or advisement of his intent to proceed with certain claims.
3 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and
4 will result in a recommendation that this action be dismissed. Accordingly, plaintiff is ordered to
5 show cause within twenty-one days why this case should not be dismissed for failure to prosecute
6 and failure to comply with court orders. Should plaintiff wish to continue with this lawsuit, he
7 shall file, within twenty-one days, an amended complaint or notice of intent to proceed with
8 certain claims.

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10 IT IS SO ORDERED.

11 Dated: March 12, 2025


12 JEREMY D. PETERSON
13 UNITED STATES MAGISTRATE JUDGE
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